

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION (Detroit)

In re:

PALLISCO CONTRACTING COMPANY, INC.,

Debtor.

Chapter 7
Case No. 13-40668-swr
Hon. Steven W. Rhodes

**ORDER GRANTING RELIEF FROM THE
AUTOMATIC STAY PURSUANT TO 11 USC § 362 TO
CONTINUE CERTAIN FEDERAL COURT LITIGATION**

THIS MATTER came before the Court for hearing on April 22, 2013 on Laborers' Fringe Benefit Funds-Detroit & Vicinity ("Detroit Laborers") and Cement Masons' Fringe Benefit Funds ("Cement Masons") (jointly, the "Funds")'s Motion for Entry of an Order Granting Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362 to Continue Certain Federal Court Litigation (the "Motion"), and the Court having heard argument of counsel for Movants and the Debtor, and being otherwise more fully advised in the premises, it is

NOW THEREFORE,

ORDERED as follows:

1. The Motion is hereby granted.
2. The automatic stay presently in effect pursuant to 11 U.S.C. § 362 with regard to this Chapter 7 case is modified to the extent necessary to allow the federal court litigation entitled *Laborers Pension Trust Fund-Detroit & Vicinity, et al. v. Pallisco Concrete, et al.*, Case No. 11-13790 [USDC E.D. Mich.] (the "Litigation") to continue and to proceed to final judgment as to the Debtor.

3. The enforcement of any damages and/or judgment directed against the Debtor shall be prohibited outside of the bankruptcy forum and the Funds shall be limited to the filing of a pre-petition general unsecured claim against Debtor's bankruptcy estate.

4. Except as expressly provided herein, nothing herein shall affect or prejudice: (i) the rights of the parties to prosecute or defend, for or against, the merits of the allegations asserted in the Litigation, or (ii) the right of the Funds to proceed against any non-debtor party on account of claims asserted in the Litigation.

5. The fourteen (14) day stay provisions of Fed. R. Bankr. P. 4001(a)(3) are hereby waived with respect to this Order.

Signed on April 24, 2013

/s/ Steven Rhodes
Steven Rhodes
United States Bankruptcy Judge